

March 26, 1975

The Department shall pay the money into the state treasury, which shall in turn credit the money to a driver improvement program, which is hereby created. All fees collected under this act shall be appropriated to the Department of Motor Vehicles. Any person who feels he has been unjustly denied a permit may appeal the decision to the Director of the District Court of the county in which he resides. These are the amendments, Mr. Chairman, and essentially are the bill. Now if Senator Anderson would like to add further to it, I would yield to him at this time. I have moved the adoption of the committee amendments, as given.

PRESIDENT: Senator Anderson.

SENATOR ANDERSON: Mr. President, members of the Legislature, I think at this point, as Senator Kremer has indicated, the amendments to the bill are essentially the heart of the bill. I think we should adopt the amendments before we proceed with the bill. I would like to indicate that I worked with Senator Kremer and the members of his committee in developing these amendments. I think that they do an excellent job of tightening up some of the faults of the original bill. So these amendments certainly meet with my approval. I, unless there's any discussion now on the amendments, guess we've got the motion to adopt the committee amendments. I think we should go ahead and do that first before we discuss the bill.

PRESIDENT: Senator Warner.

CLERK: Mr. President, motion on the desk. I move to amend the committee amendment by striking, subsection d(4) the words "the Department of Motor Vehicles shall pay the money into the state treasury and the state treasurer shall credit the money to the driver improvement program fund, which is hereby created". Also the last sentence in subsection d(4) insert "all fees collected to be deposited in the general fund". Signed, Senator Warner.

SENATOR WARNER: Mr. President, I move the adoption of the amendments. The reason I'm offering the amendments, it seems to me there was a series of bills going through attempting to place fees that were collected into some kind of a cash fund, circumventing . . . essentially circumventing the appropriation process. It seems to me that it is more appropriate, here apparently a new fund is being established, I do not know for which purpose, specifically. It may very well be for a worthwhile purpose. Even if it is it seems to me that such programs ought to have annual review through the appropriation process, rather than automatically appropriated by law as the proposed amendment reads. The effect of my amendment is one and one thing only, that is to credit the fees that are collected to the general fund, which in turn could be appropriated by the Legislature for whatever worthwhile purpose that Department would propose.

PRESIDENT: Senator Warner has a very narrow amendment. Does any member wish to speak on this narrow amendment before we go back to the major amendment? Senator Johnson, do you wish to speak to this specific matter or the full amendment? Senator Lewis, do you wish to speak . . . alright. I have some lights on. Senator Anderson.